SBCivil Writ Petition No.3874/2006

Rotu Gram Sewa Sahkari Samiti Ltd.

Vs.

State of Rajasthan & Anr.

Date of Order :: 26th July, 2006

HON'BLE MR.JUSTICE GOVIND MATHUR

Mr. Vijay Bishnoi, for the petitioner.

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The Executive Officer, Nagaur Central Cooperative Bank Ltd., Nagaur by an order dated 23.6.2006 instructed Shri Amardan, Vyavasthapak, Dugoli Gram Sewa Sahkari Samiti Ltd., Dugoli to take over additional charge of the office of Vyavasthapak, Gram Sewa Sahkari Samiti Ltd., Rotu. Being aggrieved by the same this petition for writ is preferred.

On behalf of the petitioner it is contended that Rotu Gram Sewa Sahkari Samiti Ltd. by its resolution dated 1.7.2006 decided to keep the charge of the office of Vyavasthapak with Shri Mahendra Kumar who is already working as Assistant Manager and, therefore, there was no need to assign additional charge to Shri Amardan, Vyavasthapak, Dugoli Gram Sewa Sahkari Samiti Ltd. It is urged that Shri Mahendra Kumar is looking after the office of Vyavasthapak, Gram Sewa Sahkari Samiti Ltd., Rotu and any change in

it till appointment of regularly appointed Vyavasthapak will adversely effect working of Rotu Gram Sewa Sahkari Samiti Ltd.

Heard counsel for the petitioner.

Before proceeding further it is pertinent to note that being aggrieved by order dated 23.6.2006 at the first instance Shri Mahendra Kumar himself filed a writ petition (SBCivil Writ Petition No.3181/2006) before this Court and that came to be dismissed as withdrawn by order dated 10.7.2006. The Gram Sewa Sahkari Samiti Ltd. Rotu has now given challenge to the same order with a contention that taking over of charge from Shri Mahendra Kumar will adversely effect the interest of Gram Sewa Sahkari Samiti Ltd. Rotu.

It is the position admitted that Shri Mahendra Kumar is working as Assistant Manager and the authority to appoint a Manager (Vyavasthapak) in accordance with Primary Agriculture Credit Cooperative Society/Large Agriculture Multi Purpose Cooperative Societies Managers (Selection & Appointment) Service Conditions, 2003 is with respondent Nagaur Central Cooperative Bank Ltd. The Rotu Gram Sewa Sahkari Samiti Ltd. is having no say in appointment of the Manager. It is solely within the domain of Central Cooperative Bank Ltd. and, therefore, there is no error in the order dated 23.6.2006 by giving

instructions to Shri Amardan to take over additional charge of Gram Sewa Sahkari Samiti Ltd., Rotu.

As such, I do not find any merit in the writ petition. The same, therefore, is dismissed. However, it is expected from the Executive Officer, Nagaur Central Cooperative Bank Ltd., Nagaur to appoint a regular Vyavasthapak for Rotu Gram Sewa Sahkari Samiti Ltd. expeditiously as far as possible within a period of 15 days from the date of receiving a certified copy of this order through the petitioner.

(GOVIND MATHUR),J.

kkm/ps.